



Registration and Regulation Committee

Filed: 3/12/2008

09500HB5501ham001

LRB095 19524 RAS 48237 a

1 AMENDMENT TO HOUSE BILL 5501

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 5501 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Nurse Practice Act is amended by changing  
5 Section 65-5 as follows:

6 (225 ILCS 65/65-5) (was 225 ILCS 65/15-10)  
7 (Section scheduled to be repealed on January 1, 2018)

8 Sec. 65-5. Qualifications for APN licensure.

9 (a) Each applicant who successfully meets the requirements  
10 of this Section shall be entitled to licensure as an advanced  
11 practice nurse.

12 (b) An applicant for licensure to practice as an advanced  
13 practice nurse must do each of the following:

14 (1) Submit a completed application and any fees as  
15 established by the Department.

16 (2) Hold a current license to practice as a registered

1 professional nurse under this Act.

2 (3) Have successfully completed requirements to  
3 practice as, and holds a current, national certification  
4 as, a nurse midwife, clinical nurse specialist, nurse  
5 practitioner, or certified registered nurse anesthetist  
6 from the appropriate national certifying body as  
7 determined by rule of the Department.

8 (4) Have obtained a graduate degree appropriate for  
9 national certification in a clinical advanced practice  
10 nursing specialty or a graduate degree or post-master's  
11 certificate from a graduate level program in a clinical  
12 advanced practice nursing specialty.

13 (5) Have not violated the provisions of this Act  
14 concerning the grounds for disciplinary action. The  
15 Department may take into consideration any felony  
16 conviction of the applicant, but such a conviction may not  
17 operate as an absolute bar to licensure.

18 (6) Submit to the criminal history records check  
19 required under Section 50-35 of this Act.

20 (b-5) A registered professional nurse seeking licensure as  
21 an advanced practice nurse in the category of certified  
22 registered nurse anesthetist who does not have a graduate  
23 degree as described in subsection (b) of this Section shall be  
24 qualified for licensure if that person:

25 (1) submits evidence of having successfully completed  
26 a nurse anesthesia program described in item (4) of

1 subsection (b) of this Section prior to January 1, 1999;

2 (2) submits evidence of certification as a registered  
3 nurse anesthetist by an appropriate national certifying  
4 body; and

5 (3) has continually maintained active, up-to-date  
6 recertification status as a certified registered nurse  
7 anesthetist by an appropriate national recertifying body.

8 Notwithstanding any other rulemaking authority that may  
9 exist, neither the Governor nor any agency or agency head under  
10 the jurisdiction of the Governor has any authority to make or  
11 promulgate rules to implement or enforce the provisions of this  
12 amendatory Act of the 95th General Assembly. If, however, the  
13 Governor believes that rules are necessary to implement or  
14 enforce the provisions of this amendatory Act of the 95th  
15 General Assembly, the Governor may suggest rules to the General  
16 Assembly by filing them with the Clerk of the House and the  
17 Secretary of the Senate and by requesting that the General  
18 Assembly authorize such rulemaking by law, enact those  
19 suggested rules into law, or take any other appropriate action  
20 in the General Assembly's discretion. Nothing contained in this  
21 amendatory Act of the 95th General Assembly shall be  
22 interpreted to grant rulemaking authority under any other  
23 Illinois statute where such authority is not otherwise  
24 explicitly given. For the purposes of this amendatory Act of  
25 the 95th General Assembly, "rules" is given the meaning  
26 contained in Section 1-70 of the Illinois Administrative

1 Procedure Act, and "agency" and "agency head" are given the  
2 meanings contained in Sections 1-20 and 1-25 of the Illinois  
3 Administrative Procedure Act to the extent that such  
4 definitions apply to agencies or agency heads under the  
5 jurisdiction of the Governor.

6 (b-10) The Department shall issue a certified registered  
7 nurse anesthetist license to an APN who (i) does not have a  
8 graduate degree, (ii) applies for licensure before July 1,  
9 2018, and (iii) submits all of the following to the Department:

10 (1) His or her current State registered nurse license  
11 number.

12 (2) Proof of current national certification, which  
13 includes the completion of an examination from either of  
14 the following:

15 (A) the Council on Certification of the American  
16 Association of Nurse Anesthetists; or

17 (B) the Council on Recertification of the American  
18 Association of Nurse Anesthetists.

19 (3) Proof of the successful completion of a post-basic  
20 advanced practice formal education program in the area of  
21 nurse anesthesia prior to January 1, 1999.

22 (4) His or her complete work history for the 5-year  
23 period immediately preceding the date of his or her  
24 application.

25 (5) Verification of licensure as an advanced practice  
26 nurse from the state in which he or she was originally

1 licensed, current state of licensure, and any other state  
2 in which he or she has been actively practicing as an  
3 advanced practice nurse within the 5-year period  
4 immediately preceding the date of his or her application.

5 If applicable, this verification must state:

6 (A) the time during which he or she was licensed in  
7 each state, including the date of the original issuance  
8 of each license; and

9 (B) any disciplinary action taken or pending  
10 concerning any nursing license held, currently or in  
11 the past, by the applicant.

12 (6) The required fee.

13 Notwithstanding any other rulemaking authority that may  
14 exist, neither the Governor nor any agency or agency head under  
15 the jurisdiction of the Governor has any authority to make or  
16 promulgate rules to implement or enforce the provisions of this  
17 amendatory Act of the 95th General Assembly. If, however, the  
18 Governor believes that rules are necessary to implement or  
19 enforce the provisions of this amendatory Act of the 95th  
20 General Assembly, the Governor may suggest rules to the General  
21 Assembly by filing them with the Clerk of the House and the  
22 Secretary of the Senate and by requesting that the General  
23 Assembly authorize such rulemaking by law, enact those  
24 suggested rules into law, or take any other appropriate action  
25 in the General Assembly's discretion. Nothing contained in this  
26 amendatory Act of the 95th General Assembly shall be

1 interpreted to grant rulemaking authority under any other  
2 Illinois statute where such authority is not otherwise  
3 explicitly given. For the purposes of this amendatory Act of  
4 the 95th General Assembly, "rules" is given the meaning  
5 contained in Section 1-70 of the Illinois Administrative  
6 Procedure Act, and "agency" and "agency head" are given the  
7 meanings contained in Sections 1-20 and 1-25 of the Illinois  
8 Administrative Procedure Act to the extent that such  
9 definitions apply to agencies or agency heads under the  
10 jurisdiction of the Governor.

11 (c) Those applicants seeking licensure in more than one  
12 advanced practice nursing specialty need not possess multiple  
13 graduate degrees. Applicants may be eligible for licenses for  
14 multiple advanced practice nurse licensure specialties,  
15 provided that the applicant (i) has met the requirements for at  
16 least one advanced practice nursing specialty under paragraphs  
17 (3) and (5) of subsection (a) of this Section, (ii) possesses  
18 an additional graduate education that results in a certificate  
19 for another clinical advanced practice nurse specialty and that  
20 meets the requirements for the national certification from the  
21 appropriate nursing specialty, and (iii) holds a current  
22 national certification from the appropriate national  
23 certifying body for that additional advanced practice nursing  
24 specialty.

25 (d) Any person who holds a valid license as an advanced  
26 practice nurse issued under this Act as this Act existed before

1 the effective date of this amendatory Act of the 95th General  
2 Assembly shall be subject only to the advanced practice nurse  
3 license renewal requirements of this Act as this Act exists on  
4 and after the effective date of this amendatory Act of the 95th  
5 General Assembly upon the expiration of that license.

6 (Source: P.A. 94-348, eff. 7-28-05; 95-639, eff. 10-5-07.)

7 Section 99. Effective date. This Act takes effect upon  
8 becoming law.".